

# **EXHIBIT 4**

STATE OF INDIANA            )  
  ) ss       IN THE HAMILTON SUPERIOR COURT II  
COUNTY OF HAMILTON    )

I, Daniel J. Pfleging, sole Judge of the Hamilton Superior Court II within and for said County of Hamilton, do hereby certify that said Court is a Court of Record, and Peggy Beaver, whose signature is affixed to the foregoing certificate, is Clerk of said Court; that said certificate is attested in due form of the law and by the proper officer; that the aforesaid signature of said Clerk is genuine, that the seal thereto affixed is the seal of said Hamilton Superior Court II.

Witness my hand at Noblesville, Indiana, this \_\_\_\_\_ day

of \_\_\_\_\_, 20

**AUG 20 2013**

  
\_\_\_\_\_  
JUDGE, HAMILTON SUPERIOR COURT II

\*\*\*\*\*

STATE OF INDIANA            )  
  ) ss  
COUNTY OF HAMILTON    )

I, Peggy Beaver, Clerk of the Hamilton Superior Court II within and for the County of Hamilton, do certify that the Honorable Daniel J. Pfleging, whose name is subscribed to the preceding certificate, is the sole Judge of the Hamilton Superior Court II, within and for the County of Hamilton and State of Indiana aforesaid, duly elected, sworn and qualified, and that the signature of said Judge to said certificate is genuine.

In Testimony Whereof, I have hereto set my hand and  
affixed the seal of said Court this \_\_\_\_\_ day of

**AUG 20 2013**

\_\_\_\_\_, 20

  
\_\_\_\_\_  
CLERK OF HAMILTON SUPERIOR COURT II

STATE OF INDIANA       )  
                                  )SS:  
COUNTY OF HAMILTON   )

IN THE HAMILTON SUPERIOR COURT  
  
CAUSE NO. 29D02-1211-CC-012010

NEXTGEAR CAPITAL, INC.,       )  
  as successor-in-interest to    )  
  DEALER SERVICES CORPORATION, )  
                                  )  
                          Plaintiff,    )  
                                  )  
                          v.            )  
                                  )  
MATTINGLY AUTO SALES, INC. and )  
BARRY W. MATTINGLY,            )  
                                  )  
                                  )  
                          Defendants.    )

**FILED**  
JUN 06 2013  
*Peggy Beavers*  
CLERK OF THE  
HAMILTON SUPERIOR COURT

**ENTRY OF DEFAULT JUDGMENT**

This matter came before the Court on the Motion for Entry of Default Judgment against Mattingly Auto Sales, Inc. (“Dealer”) and Barry W. Mattingly (“Mattingly”) (collectively, the “Defendants”) and supporting affidavits filed by plaintiff NextGear Capital, Inc., as successor in interest to Dealer Services Corporation (“Plaintiff”), and the Court, having read and considered the same, now FINDS that:

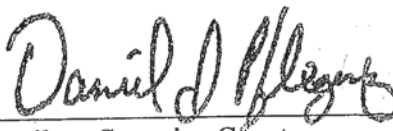
1.     The Defendants were properly served in this Cause.
2.     The Defendants have failed to answer or otherwise respond to the Complaint.
3.     Plaintiff is entitled to a judgment by default on all counts of the Complaint pursuant to Ind. Trial Rule 55.
4.     There is no just reason for delay, and a final judgment shall be and hereby is entered as set forth herein.
5.     An appeal may be taken upon the issues raised by this judgment.

IT IS THEREFORE ORDERED THAT JUDGMENT BY DEFAULT IS HEREBY  
ENTERED in favor of Plaintiff as follows:

- (a) Judgment is entered in favor of NextGear Capital, Inc. and against Mattingly Auto Sales, Inc. for breach of contract;
- (b) Judgment is entered in favor of NextGear Capital, Inc. and against Barry W. Mattingly for breach of guaranty;
- (c) NextGear Capital, Inc. is awarded its actual damages from Mattingly Auto Sales, Inc. and Barry W. Mattingly, jointly and severally, in the amount of \$58,432.52;
- (d) Interest on the judgment entered herein shall accrue at the Indiana statutory rate of Eight Per Cent (8%) per annum until paid; and
- (e) Plaintiff shall be entitled to recover its reasonable post-judgment attorney fees and post-judgment court costs incurred in the collection of the judgment entered herein.

Date: \_\_\_\_\_

6/4/13

  
\_\_\_\_\_  
Judge, Hamilton Superior Court

**Distribution:**

Mattingly Auto Sales, Inc.  
3826 Highway 261 South  
Hardinsburg, Kentucky 40143


Barry W. Mattingly  
3826 Highway 261 South  
Hardingsburg, Kentucky 40143

NextGear Capital, Inc.  
ATTN: Gary M. Hoke  
1320 City Center Drive, Suite 100  
Carmel, IN 46032

THE DOCUMENT TO WHICH THIS CERTIFICATE  
IS ATTACHED IS A FULL, TRUE AND COR-  
RECT COPY OF THE ORIGINAL ON FILE AND  
OF RECORD IN MY OFFICE

6-4-13

AUG 13 2013

DATED 6-4-13 BOOK        PAGE 7  
  
DATE OF CERTIFICATION 6-4-13 PEGGY BEAVER  
CLERK OF COURT CLERK HAMILTON  
COUNTY COURTS